

Program A: Administration

OBJECTIVES AND PERFORMANCE INDICATORS

Unless otherwise indicated, all objectives are to be accomplished during or by the end of FY 2002-2003. Performance indicators are made up of two parts: name and value. The indicator name describes what is being measured. The indicator value is the numeric value or level achieved within a given measurement period. For budgeting purposes, performance indicators are shown for the prior fiscal year, the current fiscal year, and alternative funding scenarios (continuation budget level and Executive Budget recommendation level) for the ensuing fiscal year of the budget document.

The objectives and performance indicators that appear below are associated with program funding in the Base Executive Budget for FY 2002-2003.

DEPARTMENT ID: 17 Department of Civil Service
 AGENCY ID: 17-564 Division of Administrative Law
 PROGRAM ID: Program A: Administration

1. (KEY) To docket cases and conduct administrative hearings as requested by parties.

Strategic Link: This operational objective is related to Strategic Objective 1: *Docket cases and conduct hearings as requested by parties during FY 2002-2007.*

Louisiana: Vision 2020 Link: To the extent that state agencies' administrative hearings have been centralized in the Division of Administrative Law, it supports the Vision 2020 Goal 1, Objective 1.8: *To improve the efficiency and accountability of governmental agencies.*

Children's Cabinet Link: Not applicable

Other Link(s): Not applicable

| L E V E L | PERFORMANCE INDICATOR NAME | PERFORMANCE INDICATOR VALUES | | | | | |
|-----------------------|---|--|--|---|---|--|---|
| | | YEAREND PERFORMANCE STANDARD FY 2000-2001 | ACTUAL YEAREND PERFORMANCE FY 2000-2001 | ACT 12 PERFORMANCE STANDARD FY 2001-2002 | EXISTING PERFORMANCE STANDARD FY 2001-2002 | AT CONTINUATION BUDGET LEVEL FY 2002-2003 | AT RECOMMENDED BUDGET LEVEL FY 2002-2003 |
| K | Number of cases docketed | 9,500 | 10,556 | 9,500 | 9,500 | 9,500 | 10,000 |
| K | Percentage of cases docketed that are properly filed and received | 100% | 100% | 100% | 100% | 100% | 100% |
| K | Number of hearings conducted | 7,900 | 9,403 | 7,900 | 7,900 | 7,900 | 8,200 |
| S | Number of pre-hearing conferences conducted | 440 | 526 | 440 | 440 | 440 | 500 |
| S | Number of settlements | 800 | 1,601 | 800 | 800 | 800 | 1,200 |

DEPARTMENT ID: 17 Department of Civil Service

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2. (KEY) To issue decisions and orders in all unresolved cases.

Strategic Link: This operational objective is related to Strategic Objective 2: *Issue decisions and orders in all unresolved cases in FY 1998-2003.**Louisiana: Vision 2020* Link: To the extent that state agencies' administrative hearings have been centralized in the Division of Administrative Law, it supports the Vision 2020 Goal 1, Objective 1.8: *To*

Children's Cabinet Link: Not applicable

Other Link(s): Not applicable

| L E V E L | PERFORMANCE INDICATOR NAME | PERFORMANCE INDICATOR VALUES | | | | | |
|-----------------------|--------------------------------------|--|--|---|---|--|---|
| | | YEAREND PERFORMANCE STANDARD FY 2000-2001 | ACTUAL YEAREND PERFORMANCE FY 2000-2001 | ACT 12 PERFORMANCE STANDARD FY 2001-2002 | EXISTING PERFORMANCE STANDARD FY 2001-2002 | AT CONTINUATION BUDGET LEVEL FY 2002-2003 | AT RECOMMENDED BUDGET LEVEL FY 2002-2003 |
| K | Number of decisions or orders issued | 6,600 | 9,263 | 6,600 | 6,600 | 6,600 | 8,000 |

DEPARTMENT ID: 17 Department of Civil Service
 AGENCY ID: 17-563 Division of Administrative Law
 PROGRAM ID: Program A: Administration

| GENERAL PERFORMANCE INFORMATION: DIVISION OF ADMINISTRATIVE LAW | | | | | |
|---|---|------------------------------------|------------------------------------|------------------------------------|------------------------------------|
| PERFORMANCE INDICATOR NAME | PERFORMANCE INDICATOR VALUES | | | | |
| | PRIOR YEAR ACTUAL FY 1996-97 ¹ | PRIOR YEAR ACTUAL FY 1997-98 | PRIOR YEAR ACTUAL FY 1998-99 | PRIOR YEAR ACTUAL FY 1999-00 | PRIOR YEAR ACTUAL FY 2000-01 |
| Number of cases docketed | 9,058 | 10,841 | 10,835 | 11,322 | 10,556 |
| Percentage of cases docketed of those properly filed | 100% | 100% | 100% | 100% | 100% |
| Number of hearings conducted | 7,993 | 10,244 | 9,347 | 8,623 | 9,403 |
| Number of prehearing conferences conducted | 352 | 531 | 628 | 926 | 526 |
| Number of settlements | Not available | 988 | 1,157 | 1,316 | 1,601 |
| Number of decisions or orders issued | 7,098 | 8,256 | 7,785 | 8,601 | 9,263 |
| Total dollar amount of penalties assessed ² | \$884,445 | \$1,227,977 | \$641,807 | \$711,872 | \$890,847 |

¹ The Division of Administrative Law (DAL) began operation on October 1, 1996, therefore only 9 months of data for Fiscal Year 1996-1997 are available. Also, figures for the first 9 months of operations may be less accurate than second year figures, due to development and improvement of data collection during the first few months, and inclusion of transferred cases at DAL's startup.

² This is a former performance indicator which DAL will continue to track as general performance information since it is not an indicator of performance. Penalties are not an accurate gauge of performance because so many of the cases do not involve a dollar penalty. Penalties are largely beyond DAL's control, as the penalty sought is set either by the agency or by law. Also the penalty assessed as the result of ALJ's decisions is sometimes determined by the referring agency, according to a statutory schedule. Therefore, the penalties assessed dollar figure reflects only a portion of the monetary outcome of DAL's decisions.

DEPARTMENT ID: 17 Department of Civil Service
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The following chart compares the states with centralized administrative hearings panels. Each state's jurisdiction is different, and the balance of high and low complexity cases and the types of cases handled vary widely. However, the following chart offers the best comparison of the fair and reasonable operating cost and personnel needs of a statewide central administrative hearings division. Source: The information for the nationwide comparison was gathered from responses to a survey conducted in October 2001 of state central administrative hearing panels. As indicated below, the Division of Administrative Law reports that its average cost per hearing (\$216) is 8% of the southern regional average (\$2,628) and 11% (\$1,892) of the national average. The division's average hearing caseload per administrative law judge (ALJ) (672) is the highest in the nation.

| GENERAL PERFORMANCE INFORMATION: STATES WITH CENTRALIZED ADMINISTRATIVE HEARINGS PANELS, 2001 ¹ | | | | | | | | |
|--|----------------------------------|------------------------------|-------------------------------------|-------------------------------|-----------------------------|--------------------------------|---|-------------------------------------|
| STATE | ANNUAL BUDGET OF HEARINGS PANELS | NUMBER OF CASES FILED YEARLY | NUMBER OF HEARINGS CONDUCTED YEARLY | COST PER HEARING ² | NUMBER OF ALJs ³ | NUMBER OF STAFF EXCLUDING ALJs | AVERAGE HEARINGS CASELOAD PER ALJ YEARLY ⁴ | NUMBER OF DECISIONS / ORDERS YEARLY |
| Alabama | \$750,000 | 400 | 256 | \$293 | 4 | 2 | 64 | 328 (final) |
| Arizona | \$2,363,000 | 7,511 | 5,103 | \$463 | 18 | 13 | 284 | 5,092 |
| California | \$11,000,000 | 6,376 | 2,760 | \$3,986 | 38 | 33 | 73 | 2,760 |
| Colorado | \$3,200,000 | 13,376 | 3,569 | \$897 | 19 authorized | 25 | 188 | 11,435 |
| District of Columbia | \$746,000 | 685 | 197 | \$3,787 | 4 | 6 | 49 | 1,559 |
| Florida | \$8,500,000 | 4,985 | 851 | \$9,988 | 39 | 41 | 22 | 5,888 |
| Georgia | \$4,913,438 | 22,604 | 17,828 | \$276 | 32 authorized | 31 | 557 | 23,935 cases disposed |
| Iowa | \$2,152,203 | 10,801 | 5,381 | \$400 | 19 | 9 | 283 | 10,536 |
| LOUISIANA | \$2,031,270 | 10,556 | 9,403 | \$216 | 14 | 12 | 672 | 9263 +1,601 settlements |
| Maine | \$1,300,000 | 6,000 | 6,000 | \$217 | 9 | 8 | 667 | 6,000 |
| Maryland | \$10,800,000 | 51,904 | 26,153 | \$413 | 71 | 70 | 411 | 3,464 |
| Massachusetts | \$771,664 | 1,003 | 312 | \$2,473 | 7.6 | 3.6 | 41 | 338 |
| Michigan | \$4,226,400 | 1,952 | 1,844 | \$2,292 | 19 | 24 | 97 | 1016 final |
| Minnesota | \$9,100,000 | 11,573 | 4,947 | \$1,839 | 42 | 57 | 118 | 7,686 |
| Missouri ^{5,6} | \$911,539 | 3,606 | 351 (hearing hrs) | \$430 | 3 | 15 F.T.E. | Not available | 2,691 |
| New Jersey | \$8,100,000 | 11,600 | 11,600 cases disposed | \$698 | 43 | 70 | 102 | 11,600 cases disposed |

| | | | | | | | | |
|--|--------------|--------|----------------------|---------|--|-------------------------------|------------|-------------------|
| North Carolina | \$2,795,155 | 2,243 | 358 | \$7,808 | 9 | 18 for hearings, decisions | 40 | 1,045 |
| North Dakota | \$1,371,292 | 445 | 412 | \$3,328 | 3 full-time 8 part-time (5 F.T.E.) | 3 | 82 | approximately 500 |
| Oregon | \$21,700,000 | 31,467 | 29,684 | \$731 | 80 | 135 | 371 | 29,684 |
| South Carolina | \$1,701,976 | 2,272 | 665 (est.) | \$2,559 | 6 | 22 authorized | 111 | 1,318 |
| South Dakota | \$425,122 | 445 | 240 | \$1,771 | 3 | 1 | 80 | 240 |
| Tennessee | \$1,914,282 | 6,960 | 2,902 | \$660 | 20 | 9 | 145 | 3,627 |
| Texas ⁷ | \$6,144,972 | 4,096 | 4273 cases worked | \$1,438 | 64 | 63 | 67 | 3,859 |
| Washington ⁸ | \$11,269,215 | 47,138 | 32,607 | \$346 | 68 | 70 | 480 | 32,954 |
| Wisconsin | \$4,520,800 | 11,725 | 5,200 | \$869 | 31 | 21.3 | 168 | 5,030 |
| Wyoming | \$725,000 | 1,790 | 723 | \$1,003 | 3 full-time 6 part-time | 4 | 121 (est.) | 850 |
| NATIONAL AVERAGE | \$4,747,436 | 11,780 | 6,931 | \$1,892 | 25.9 | 29.5 | 210 | 7,027 |
| SOUTHERN REGIONAL AVERAGE ⁹ | \$4,394,566 | 10,463 | 6,965 | \$2,628 | 28.8 | 29.8 | 232 | 5,859 |

¹ The information for the nationwide comparison was gathered from responses to a survey conducted in October 2001 of state central administrative hearing panels.

² Cost per hearing = budget divided by number of hearings.

³ ALJ = Administrative Law Judge.

⁴ Average hearings caseload per ALJ = number of hearings divided by the number of ALJs.

⁵ Missouri has had mandatory withholding this year which effectively reduces expenditures to \$807,746.

⁶ Missouri computed the cost per hearing by using the number of cases filed, since the number of hearings was not available.

⁷ Texas number of hearings conducted figure is reported as cases worked and includes cases carried forward from prior fiscal year.

⁸ Washington number of hearings conducted includes unemployment cases.

⁹ Southern regional averages includes: Alabama, Florida, Georgia, Louisiana, Maryland, North Carolina, South Carolina, Tennessee and Texas.

NOTE: The city of Chicago's central panel reports that they handle 400,000 cases with 10 full-time and 70 contract ALJs and 51 staff members on a budget of \$6.4 million.